

United States District Court  
Northern District of California

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
ELIZABETH A. HOLMES,  
Defendant.

Case No. [5:18-cr-00258-EJD-1](#)

**ORDER RE SUPPLEMENTAL  
BRIEFING ON MEDIA COALITION’S  
MOTION TO UNSEAL JUROR  
QUESTIONNAIRES**

Re: Dkt. No. 1026

American Broadcasting Company, Inc. d/b/a ABC News, the Associated Press, Bloomberg L.P., The Daily Mail, Dow Jones and Company, Inc., NBCUniversal Media, LLC, The New York Times Company, Portfolio Media, Inc. – publisher of Law360, Three Uncanny Four LLC, and the Washington Post Company (hereinafter “the Media Coalition”) have moved to unseal the completed juror questionnaires in this criminal matter. Dkt. No. 1026. The Court heard oral argument on the motion on September 30, 2021. Dkt. No. 1055.

As the Court indicated it would at the September 30 hearing, it has informed the jurors of the Media Coalition’s request, provided the jurors with their questionnaires to review, and spoken to each juror individually. Counsel for Defendant Elizabeth Holmes and the Government were present during the Court’s sealed in camera colloquy with individual jurors.

In view of the jurors’ concerns, the Court finds that supplemental briefing would aid its consideration of the Media Coalition’s motion. Accordingly, Holmes and the Government may each file a supplemental brief by **October 25, 2021**. The Media Coalition may file a supplemental reply brief in response by **November 1, 2021**. The supplemental briefs may not exceed 8 pages.

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To assist the Media Coalition in filing a more comprehensive supplemental brief, the Court authorizes counsel for the Media Coalition to obtain a transcript of the sealed proceedings on October 12 and 13, 2021 on an Attorney’s Eyes-Only basis. The parties shall comply with Criminal Local Rule 56-1 and the Court’s process for e-filing administrative motions under seal in criminal cases as necessary.<sup>1</sup>

The Court may schedule a further hearing on a date to be determined.

**IT IS SO ORDERED.**

Dated: October 14, 2021



EDWARD J. DAVILA  
United States District Judge

<sup>1</sup> See <https://cand.uscourts.gov/cases-e-filing/cm-ecf/e-filing-my-documents/e-filing-under-seal-in-criminal-cases/>.